



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 04-79**  
**January 15, 2004**

## **COMMENTS INVITED ON APPLICATION OF QWEST CORPORATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 04-9**  
**Comp. Pol. File No. 671**

**Comments Due: February 17, 2004**

### **Section 214 Application** **Applicant: Qwest Corporation**

On January 13, 2004, Qwest Corporation (Qwest or Applicant), located at 1801 California Street, Denver, Colorado 80202, filed an application with the Federal Communications Commission (FCC or Commission), requesting authority, under section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of its Dataphone Select-A-Station Service (Qwest Corporation Tariff FCC No. 1, Section 7.4.2.A.3), and its DDS2-Wire Service (Qwest Corporation Tariff FCC No. 1, Section 7.17.1) offered in Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming.

The application indicates that Qwest's Dataphone Select-A-Station Service is a private line transport data service, designed for use by alarm service providers and developed for applications where "a master station and several remote stations exchange voice grade data information." Qwest states that its DDS2-Wire Service is offered on a point-to-point basis, and "provides a two-wire, full-duplex circuit using a 2B1Q protocol capable of transmitting digital data at 155 Kbps." Qwest indicates that these services are currently listed as Basic Serving Arrangements in Qwest's Open Network Architecture (ONA) Users Guide and in its Annual ONA Report. Qwest asserts that Western Electric, the manufacturer of the equipment used for Dataphone Select-A-Station Service, has advised Qwest that it no longer manufactures equipment for this service, and that spare parts for equipment already in place are not available. Qwest further asserts that Integrated Network Corporation, the manufacturer of the equipment used to provide DDS2-Wire Service has informed Qwest that it has discontinued business and that equipment is no longer manufactured for this service. Qwest states that it does not have customers for either of these services. Qwest also indicates that it has never had customers for its DDS2-Wire Service, and that Qwest's Direct Current Channels Service, and McCulloh Loops Service (described in Qwest Corporation Tariff FCC No. 1, Section 7 and the Qwest September 30, 2003 ONA Users' Guide as BSAs (Appendix 1, pages 8 and 11)) are reasonable and readily available substitutes for its Dataphone Select-A-Station Service. Qwest states that it

plans to discontinue providing Dataphone Select-A-Station and DDS2-Wire Service on March 15, 2004.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the 60th day after the release date of this notice, unless the Commission has notified Qwest that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, Qwest may not terminate service until March 15, 2004. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **February 17, 2004**. Such comments should refer to **WC Docket No. 04-9 and Comp. Pol. File No. 671**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room TW-A325, Washington, D.C. 20554. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 6-A207, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail)

must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail at [qualexint@aol.com](mailto:qualexint@aol.com).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodney.mcdonald@fcc.gov](mailto:rodney.mcdonald@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit [http://www.fcc.gov/wcb/cpd/other adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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